

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Engrossed

Committee Substitute

for

Committee Substitute

for

Senate Bill 441

BY SENATORS WOODRUM, DEEDS, AND WOELFEL

[Originating in the Committee on the Judiciary;

reported February 6, 2024]

1 A BILL to amend and reenact §17C-7-1 of the Code of West Virginia, 1931, as amended, relating
2 to the regulation of driving on the right side of roadways and restricting driving in the left
3 lane of multilane highways; adding exemptions from the requirement of driving upon the
4 right half of the roadway; specifying when a vehicle may not be driven in the left lane of a
5 multilane highway and providing exemptions; and requiring the Division of Highways to
6 erect signs.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 7. DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING,
ETC.**

**§17C-7-1. Driving on right side of roadway and prohibiting driving in the left lane of a
multilane highway; exceptions; penalty.**

1 (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of
2 the roadway, except as follows:

3 (1) When overtaking and passing another vehicle proceeding in the same direction under
4 the rules governing such movement;

5 (2) When the right half of a roadway is closed to traffic while under construction or repair;

6 (3) Upon a roadway divided into three marked lanes for traffic under the rules applicable
7 thereon; ~~or~~

8 (4) Upon a roadway designated and signposted for one-way traffic;

9 (5) When the right half of the roadway is in disrepair or is in an otherwise undrivable or
10 unsafe condition; or

11 (6) When preparing to exit the roadway on the left.

12 (b) Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at
13 the time and place, and under the conditions then existing, shall be driven in the right-hand lane
14 then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway,

15 except when overtaking and passing another vehicle proceeding in the same direction, or when
16 preparing for a left turn at an intersection, or into a private road or driveway.

17 (c) Except as otherwise provided in this section, a vehicle shall not be driven in the left
18 lane of a multilane highway, except as follows:

19 (1) When overtaking and passing another vehicle proceeding in the same direction under
20 the rules governing that movement;

21 (2) When all other lanes for traveling in the same direction are closed to traffic while under
22 construction or repair;

23 (3) When all other lanes for traveling in the same direction are in disrepair or are in an
24 otherwise undrivable or unsafe condition;

25 (4) When traffic conditions or congestion make it necessary to drive in the left lane,
26 provided that driving in the left lane does not impede the normal and reasonable movement of
27 traffic in the left lane;

28 (5) When a vehicle is preparing to exit the multilane highway on the left; or

29 (6) When approaching a stationary authorized emergency vehicle as provided in §17C-
30 14-9a of this code.

31 (d) The Division of Highways shall erect appropriate signs alerting drivers to keep right
32 except to pass on all roadways with at least two lanes in one direction of travel leading into the
33 state.

34 (e) Any person violating the provisions of this section is guilty of a misdemeanor and, upon
35 conviction thereof, shall be fined not more than ~~\$100~~ \$25; upon a second conviction within one
36 year thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction,
37 shall be fined not more than \$500.